

**Town of Lexington**  
**Motion**  
**Special Town Meeting 2021-1**

**ARTICLE 10**

**REDUCING NOISE FROM LANDSCAPE  
MAINTENANCE EQUIPMENT**

**MOTION:**

That Chapter 80 of the Code of the Town of Lexington, Noise Control, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington:

1. Add the following definitions to § 80-3:

**COMMERCIAL LANDSCAPER**

A person or entity that receives compensation to utilize landscape maintenance equipment on another's property.

**LANDSCAPE MAINTENANCE EQUIPMENT**

Gas- or electric-powered lawn mowers, hedge trimmers, weed whackers, leaf blowers, and other equipment used in landscaping or lawn care.

2. Replace § 80-4.H with the following:
  1. The outdoor use of Landscape Maintenance Equipment by commercial landscapers shall be limited to the following days and hours:
    - i. Monday – Friday: 7:00 AM to 6:00 PM
    - ii. Saturdays: 9:00 AM to 5:00 PM
  2. The outdoor use of Landscape Maintenance Equipment by persons other than commercial landscapers shall be limited to the following days and hours:
    - i. Monday – Friday: 7:00 AM to 8:00 PM
    - ii. Saturdays, Sundays, and Legal Holidays: 9:00 AM to 5:00 PM
  3. The outdoor use of Landscape Maintenance Equipment by the Town or Town contractors on Town property shall be limited to the following hours:
    - i. Monday – Friday: 7:00 AM to 8:00 PM
    - ii. Saturdays: 9:00 AM to 5:00 PM

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4. Landscape construction work shall be governed by §80-4.A, rather than this § 80-4.H.

~~5. Effective May 31, 2022, the following additional rules shall apply to the use of all gas-powered leaf blowers in the Town of Lexington:~~

- ~~a. The use of gas-powered leaf blowers is restricted to the periods of March 15 to May 31 and September 15 to December 30.~~

~~b. The use of gas-powered leaf blowers by the Town or Town contractors on Town Property shall be limited to the following dates and hours:~~

~~i. March 15 – May 31: 7:00 AM to 7:00 PM~~

~~ii. September 15 – December 30: 7:00 AM to 5:00 PM~~

5. Effective March 15, 2025, the use of all gas-powered leaf blowers by commercial landscapers in the Town of Lexington shall be prohibited.

6. Effective March 15, 2026, the use of all gas-powered leaf blowers by residents on their own property in the Town of Lexington shall be prohibited.

~~6-7. The use of wheeled leaf blowers powered by four-stroke engines on properties larger than one acre is not subject to the prohibitions in paragraphs 6 and 7.~~

3. Amend § 80-7.B to read as follows where ~~struck through~~ text is to be removed and underlined text is to be added:

Any person who violates any provision of this by-law, or who is the owner of property on which such violation occurs, shall be fined an amount not to exceed \$50 per first violation, \$100 for the second violation, and \$200 for the third and each subsequent violation. Additionally, any person violating this by law is also subject to the penalties under Fines issued hereunder shall be issued in accordance with Chapter 1, § 1-6 of the General By-Laws. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue. Each day that such violation continues shall be considered a separate offense.

(Revised 11/17/2021)

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